

# W5YI

National Volunteer Examiner Coordinator

## REPORT

Up to the minute news from the world of amateur radio, personal computing and emerging electronics. While no guarantee is made, information is from sources we believe to be reliable. May be reproduced providing credit is given to The W5YI Report.

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...and much, much more!**

Vol. 12, Issue #16

\$1.50

PUBLISHED TWICE A MONTH

August 15, 1990

## FCC to Formalize Handicapped Code Waivers

As promised, the FCC has produced a written *Notice of Proposed Rulemaking* (NPRM) in PR Docket 90-356 to make the Amateur Radio Service more accessible to the handicapped. Adoption of the proposed rules would formalize the new policy whereby the FCC waives the 13 and 20 WPM code tests for licenses above the Technician Class for persons with documented handicaps who request the waivers.

The waiver program has been in effect since mid-June, when handicapped Pennsylvania amateur **Tom McMillen/WB3HGW** became the first General class amateur exempted from having to take the 13 WPM Morse examination. Overnight, and without public comment or printed news release, the FCC reversed its long-standing position that all amateurs must be examined for CW proficiency at the established code speeds.

The W5YI Report revealed in our July 1 issue that the highly irregular change was prompted by high-level contacts between Jordan's King Hussein/JY1 and President Bush. Hussein had contacted the President on behalf of WB3HGW, who was not satisfied by FCC and ARRL responses to his request for waiver of the 13 WPM exam. Bush and the State Department encouraged FCC Commissioners to modify their agency's policy as soon as possible, and on June 13 McMillen learned that his request was granted.

The FCC has moved quickly to propose new rules that would codify the interim waiver policy into §Part 97. Even though the NPRM has just been adopted, and comments have yet to be supplied by the amateur community, the interim policy is now in effect and the Volunteer Examiner Coordinators and the FCC are processing waiver requests.

The NPRM was presented to the FCC at its August 1 meeting by Maurice DePont, attorney in the Personal Radio Branch of the Special Services Division, FCC Private Radio Bureau:

**[DePont:]** "Good morning, Mr. Chairman and Commissioners.

"We are extremely pleased to bring this Notice of Proposed Rulemaking to you this morning, because it proposes to make the Amateur Radio Service more accessible to persons with handicaps. We believe it is particularly timely because of the passage by the Congress of the *Americans in Disabilities Act* and its signing into law by the President last week.

"Proficiency in Morse code telegraphy has traditionally been a basic qualifying requirement for an amateur operator license. Although the requirement stems from the International Radio Regulations, those regulations are silent as to the exact code speed that one must attain in order to qualify for an amateur operator license. In the United States, amateur operators must demonstrate a proficiency in telegraphy at five, thirteen and twenty words per minute, depending upon their class of license. Generally, the higher the code speed proficiency, the more operating privileges that are available.

"This proposal would exempt from the higher speed telegraphy examinations persons who cannot pass the examinations because of severe handicaps. By such exemptions, the amateur service will become more accessible to handicapped persons, and they will be able to enter the mainstream of amateur service activities.

"In passing, it should be noted that we know make special accommodations for handicapped persons who



wish to take the telegraphy examination. This proposal applies to persons who already possess an amateur operator license and are seeking a higher grade license, but cannot pass the higher speed telegraphy examination because of a severe handicap. Such persons have passed at least a five words per minute telegraphy test, thus the international requirement for telegraphy proficiency has already been met.

"Adoption of the proposed rule changes would be more efficient than continuing to review individual waiver requests from severely handicapped persons. We have already processed 18 waiver requests and have issued six licenses based upon severe handicaps. In addition, we also receive several inquiries each day relating to waivers for persons with handicaps.

"Thus, adoption of final rules in this matter as quickly as possible is desirable. We believe that this proposal is consistent with the evident national concern for all Americans with disabilities. The instant proposal provides such persons with an opportunity to contribute to the Nation's welfare by engaging more fully in amateur service activities and to enjoy even greater benefits from their membership in the amateur community. We recommend that the Notice of Proposed Rule-making be adopted. Editorial privileges are requested."

**[Commissioner James Quello:]** "I think we're all going to support this item. We're giving the severely handicapped an opportunity to retain their class of amateur license. The amateur licensees have been, in my experience here, a relatively well-disciplined group, and it's a service we want to retain in its good reputation and full quality. So this waives the telegraphy portion of the exam for the severely handicapped? They still take the written exam?"

**[Private Radio Bureau chief Ralph Haller/N4RH:]** "They still take the written exam and they still pass the minimum five words per minute test on telegraphy. But we do ask the question if there's a way that we could even waive that and still comply with international requirements."

**[Quello:]** "How much is telegraphy used today in the amateur service?"

**[Haller:]** "It would be hard to give you a percentage of how much it's used. As you listen to the amateur bands you can certainly still hear telegraphy on them, but there is a move towards digital communications today, packet radio and other forms of communications like that. So I think Morse code is not as popular as it was at one time, but it is still used."

**[Commissioner Sherrie Marshall:]** "I think this is a good item, I think it will help amateurs with serious handicaps to participate more fully in the service, and I

think Commissioner Quello has asked more of the relevant questions, so I don't have any further comments."

**[Commissioner Andrew Barrett:]** "No comment."

**[Commissioner Ervin Duggan:]** "No comment, except to thank Mr. Haller, Mr. DePont and your colleagues."

**[FCC Chairman Alfred Sikes:]** "I want to thank you very much for bringing this forward. I also want to especially recognize my senior legal assistant Ken Robinson who has devoted a lot of time to helping the handicapped with respect to issues that are faced here at the Commission. We've done that with respect to assistance for the deaf, with respect to the TDD services, and now with the handicapped with respect to the amateur services. He's done a lot of good work, and I'm pleased that our Commission can reflect the important priorities for the handicapped and I'd like to recognize his effort."

**[The NPRM is voted, and carries 5-0.]**

Private Radio Bureau chief Ralph Haller later elaborated on the connection between the policy now in effect, and the NPRM. He said, "The policy that is in effect, whereby the Bureau determines whether to grant a waiver to a person who requests a handicapped waiver, is an interim policy.

"When the Commission opens the NPRM up for comments, the whole series of options are available, it would seem to me, from reversing the interim policy to going forward with something that is more general than the interim policy. The interim policy is an attempt to comply with the desires of Congress in particular. I would guess that there would probably be some change in our rules as a result of the NPRM going out, but I don't know that they would exactly relate to the interim policy."

## FCC Issues Press Release

We had hoped to obtain the actual text of the NPRM but it was not available as of our deadline. The Commission did issue a press release, however. It reads: (Quote)

## Rule Changes to Make the Amateur Service More Accessible to Handicapped Persons Proposed - (PR Docket 90-356, Aug. 1, 1990)

The Commission today, on its own motion, proposed amending its rules to make the amateur radio service more accessible to handicapped persons. The Commission is taking this action to accommodate those persons who, because of severe handicaps, have extraordinary difficulty in passing the higher speed Morse



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code telegraphy examinations for amateur operator licenses.

The amateur service is open to qualified persons interested in radio technique for personal reasons and without pecuniary interest and provides those individuals with the opportunity for self-training, intercommunication and technical investigation. To qualify for an amateur operator license, applicants must pass both written and telegraphy examinations which are used by the administering volunteer examiners (VEs) to determine the class of operator license for which the person is qualified. Currently, the required telegraphy speed for the Novice and Technician classes of operator license is 5 wpm, 13 wpm for the General and Advanced classes, and 20 wpm for the Amateur Extra Class.

To make all classes of operator licenses accessible to persons who, because of their handicaps, cannot pass the required telegraphy examinations, the VEs, at the Commission's request, have already expanded special procedures to accommodate handicapped individuals. However, the Commission said that there still remains a significant number of otherwise qualified licensees who, because of their severe handicaps, cannot pass the higher speed examinations even when provided special accommodations. To assist such individuals, the Commission has proposed to exempt from these examinations, individuals holding current or renewable Novice, Technician, General, or Advanced Class operator licenses. The Commission said that the exemption provision would be incorporated into the existing volunteer examiner coordinator system.

In accordance with the *Rehabilitation Act of 1973*, the Commission has proposed to define the term "severely handicapped individual" as a person who has a severe physical or mental disability which seriously limits one or more functional capacities. Under the proposed rules, the VEs would give examination credit to severely handicapped licensees seeking exemption from the 13 wpm or the 20 wpm telegraphy examinations. The examinees would also be required to show an authentic certification signed by a physician attesting that they cannot pass these examinations because of physical or mental disabilities.

The Commission said that the international requirement of this proposal would be met because all licensees would have demonstrated their telegraphy proficiency by having passed at least the 5 wpm telegraphy examination. Moreover, the proposed rule changes would be more efficient and effective than reviewing waiver requests from severely handicapped individuals on a case-by-case basis.

The Commission is asking for comments on all aspects of this proposal.

Action by the Commission August 1, 1990, by *Notice of*

*Proposed Rulemaking (FCC 90-280)*. Commissioners Sikes (Chairman), Quello, Marshall, Barrett, and Duggan. (End Quote)

## **ARRL Instructs their VE Teams**

Even though the verbal waiver policy has been in effect since June 15th, on August 3, the ARRL-VEC forwarded instructions to their VE teams on how to handle requests for 13 and 20 wpm code waivers. The League waited until receipt of a July 18th letter from the FCC ordering the handicap telegraphy policy implementation. We covered that letter in our last issue.

## **ARRL-VEC policy on 5 wpm testing**

Where warranted, the ARRL policy for administering a 5 wpm code test to severely handicapped applicants includes:

1. Sending tests may be substituted for telegraphy receiving.
2. Telegraphy examinations may be paused to allow the candidate to speak or write out phrases, words or in extreme cases, character by character.

"In the case of the character-by-character examination, you may either administer a standard 5-minute QSO format with a 10-question examination, ...or you may administer a character receiving (or sending) examination which includes all the characters of the alphabet, all numbers 0-9, the period, comma, question mark, slant mark (/), and prosigns AR, BT and SK. For a character-by-character examination, a grade of 70 percent or more can be considered passing."

## **ARRL policy on 13/20 wpm telegraphy waivers**

A *Request for Waiver* form and Doctor's Certification format letters (which appeared in our last issue) were sent to all ARRL VE teams. The ARRL requires both of these documents to be submitted to the VE Team who is administering your written exam(s). Severely handicapped applicants already having credit for the written exam elements should send a signed 610 form, a copy of your current license, your original (CSCE(s) for the written element credit (or other credit documents - such as a Technician license dated prior to March 21, 1987, which "grandfathers" applicants to General/Element 3B), your Waiver Request letter; your Doctor's Certification; and a \$4.95 processing fee. Doctor's Certification must appear on a business letterhead.

(Note: Photocopies of Doctor's Certifications, rubber stamp signatures and letterhead without a telephone number are not allowed. The W5YI-VEC has had all of these returned for correction. We are also adopting the ARRL's procedures which provides for payment of a \$4.95 processing fee since there are costs involved in processing telegraphy waiver requests.)



## COMMENT PERIOD CLOSURES ON "NO-CODE"

The public comment period closed August 6th on PR Docket 90-55, Establishment of a Codeless Class of Amateur Operator License. Following are recaps of some of the more significant filings:

### Associated Public Safety Communications Officers

Some 8,200 members of the Associated Public Safety Communications Officers, Inc., support no code! Located in the United States, Canada and many foreign countries, APCO is the world's oldest and largest public safety telecommunications group. APCO is a major industry organization that has no direct connection with amateur radio ...although three of the four members of the board of APCO are hams. "...APCO is presenting a consensus view of the hundreds of amateur radio licensees who are members of APCO.

"APCO's primary concern is that the Commission take no action that would impair the support that the amateur radio community now provides to public safety organizations throughout the United States. Of equal importance to APCO is that the FCC continue to provide an entry point for young people into the amateur radio service. At a time when the percentage of young persons choosing technical professions such as electrical engineering and communications technology is dwindling in the U.S.; we must support all programs that support these interests.

"APCO supports Communicator class privileges on all bands above 50 MHz where emergency operations are at a minimum. This would preclude privileges on 144-148 MHz and at 440-450 MHz where most of the current emergency management systems reside particularly in the most populous regions of the United States. Privileges should also be precluded on 420-430 MHz which is primarily used for control and linking of systems to other bands. APCO does not favor control operator privileges for Communicators in bands below 450 MHz.

"While this may at first appear to be counter-productive to APCO's goal by limiting a new resource, the Communicator licensee that could be used for emergency management, we have weighed the potential for misuse and believe it to carry more importance than added man-power. Nonetheless, Communicator licensees can still perform a valuable service in other bands and with other modes of operation such as packet radio and amateur television.

"Once this new mode of operation has established itself and our fears are proven or disproved, further rule changes can be made. In this case it is critical to be wary now rather than sorry and handicapped in performing critical life safety missions in the future as happened at 27 MHz.

"APCO strongly opposes the Commission's proposal to discontinue the Novice and Technician class licenses. Furthermore, APCO proposes that the provision being added to §97.527 to allow VEs and VECs to recover out-of-pocket expenses be modified to provide that no fees be charged to applicants under

the age of 16. It is probable that the Communicator class with more advanced technical knowledge requirements will be directed more towards senior high school and college age persons and persons with interests in communications or computer related fields who do not feel it is necessary to learn the Morse code and who can derive enjoyment and education from involvement on frequency bands above 50 MHz. For this reason we strongly support the proposal for this new class.

"In paragraph 4 of the instant docket, the Commission notes that the current automated license processing system is capable of handling a sixth class of license. If the Commission lacks the resources to implement this change, APCO respectfully suggests that the Commission seek to utilize the services of a user organization. The ARRL is probably most representative to perform additional functions now performed by Commission staff [and might be allowed] to add this new licensing function. APCO, as the FCC's certified §Part 90 frequency coordinator, for police and local government applications can directly attest to the success of this technique. Recent experiments between APCO and the Commission with respect to electronic application filing may point toward methods of similar cost savings with amateur radio licenses."

*[Submitted by Robert E. Tall, Executive Director, Associated Public Safety Communications Officers, Inc., New Smyrna Beach, Florida.]*

### Quarter Century Wireless Association

"The QCWA is an organization of nearly 11,000 licensed amateur wireless operators all of whom were first licensed 25 or more years ago. The organization was founded in 1947 with eligibility requirements that one must have been licensed in the year 1922 or earlier, at which time essentially all wireless communication was by means of the International Morse Code. As years passed and technology advanced, many other methods of communicating by wireless transmissions have been adopted...

"It is the belief of QCWA that the Amateur Radio Service must continue to be one of the prime vehicles for introducing young and old alike into the fields of science, engineering, electronic manufacturing and communications, thus ensuring the United States of America's technical and economic influence in the world.

"QCWA is well aware that Amateur Radio Service licensing trends show that a diminishing number of new licensees are being enrolled into the service annually. We firmly believe that the public welfare requires that every effort be made to reverse this trend. In recent years a number of stop-gap measures have been instituted, none of which have produced a real or lasting solution to the problem.

"More recently, concerned groups have concluded that a major road-block to growth in the Amateur Radio Service is the blanket requirement to demonstrate a degree of proficiency in the use of the Morse code. The conclusion is based on the observation that many contemporary Americans have neither the time nor the inclination to become even marginally proficient

"I am a currently licensed Extra Class amateur radio operator and wish to be a volunteer examiner. I have never had my station or operator license revoked or suspended. I do not own a significant

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under "The W5YI Report" Program? If so, please send a copy of your Extra Class license, the following signed statement, and a CASE



in a communication technique which they perceive to be archaic.

"Many QCWA members have a lifetime of operating with, and a sentimental attachment to, use of the Morse code. It is understandable that some may not be overly enthusiastic in endorsing changes of proficiency in this traditional mode of communication. Nonetheless, after consideration of the facts associated with licensing trends, we have concluded that the blanket code proficiency requirement may be a major cause of decline in the entry of many people into the Amateur Radio Service. Given this conclusion and in recognition of our responsibility to the Public Interest, we are agreed that a blanket Morse code requirement for entry into the Amateur Service can no longer be justified.

"We believe that the basic requirements can be met with only one major change in current procedures being necessary to implement a viable "No Code" entry program. That is, remove the Morse code requirement in the present Technician class license and modify its privileges to restrict operation to assigned frequencies above 30 MHz to comply with International agreements. Assignment of identifying calls could be taken from a newly-designated section of Group D (2-by-3) calls, thereby providing a "codeless" Technician licensee with an identifier different from those assigned to Technician Class licensees under existing licensing rules.

"Codeless Technicians should be authorized to utilize all authorized frequencies above 30 MHz in the same manner and to the same extent as present Technicians; therefore no additional technical or operating knowledge is required and special questions are not needed.

"QCWA considers that limiting operation to 1-1/4 meters (222 MHz) and above would place the codeless licensee out of the mainstream of Amateur Radio Service operations. Present Technician class licensees enjoy all VHF and UHF privileges and have contributed immeasurably to the growth of existing repeater systems, packet systems and satellite communications. QCWA considers it illogical to deny the same privileges to the new codeless licensee.

"Some may object to granting of full privileges above 30 MHz to the codeless entry grade licensee feeling that their numbers might severely overcrowd existing two-meter repeater systems. This reasoning is specious since it seems to imply that if new entries to the Amateur Service were adept at using Morse code such crowding would not exist. QCWA cannot accept this thesis. It is submitted that a majority of our repeaters could easily accommodate additional activity. Further, if severe crowding does develop, we believe that the new entry level licensees will have the expertise to develop additional systems in other parts of the spectrum such as six meters, where the sub-band was recently increased.

"The Commission's proposal proposes that no new Novice Class licensees be issued. QCWA strongly urges that the Novice Class licensee, probably the most successful license in the history of the Amateur Radio Service, be continued. Retaining the Novice Class license would provide two options for entry into the

Amateur Radio Service ...a route for the person who find little difficulty with a Morse code requirement but lacks the extensive skills and technical knowledge required by the Technician Class examination ...and a route for the person who views the Morse code as an unreasonable barrier but who has the necessary technical skills and knowledge to qualify for the newly proposed codeless class license.

"While QCWA actively supports retention of the Novice Class license with all present requirements and privileges, we believe it is time to change the name 'Novice' to something that more closely identifies an amateur who has had an entry grade license for ten years and who can renew that license for yet another ten years. The term 'Novice' which is synonymous with 'beginner', is not truly descriptive. We would suggest the term 'Communicator Class' as being appropriate.

"The modifications proposed are compatible with Commission requirements regarding ease of implementation and with minimal changes required to modify the Commission's existing computer aided licensing procedures."

*[Submitted by Harry J. Dannals, W2HD, President QCWA, 1800 Bentivar Dr., Charlottesville, VA 22901.]*

## National Amateur Radio Association

The National Amateur Radio Association is a non-profit group of licensed and non-licensed people headquartered in Redmond, state of Washington, who have banded together in an association dictated to the improvement of Amateur Radio. "Its purpose is to publicize Amateur Radio to the general public with a motive of bringing more people into the hobby, to specifically interest young people in becoming amateurs, to provide an interface between the educational community and the Amateur Radio Service and to help and encourage existing Amateurs to become better Amateurs.

"Our fraternity is grey around the temples. Young people, the cement in the foundation of the Amateur Radio Service, are no longer interested in joining our group. ...Never before have Amateurs been so alert to the conditions which exist in their hobby and the realism of spectrum allocation.

"The revision in licensing as proposed in Docket 90-55 is not a relaxation in standards in an effort to attract less motivated people. NARA views it as a 'new suit of clothes' in which our hobby can be dressed to make it more attractive to the public.

"It is in the best interests of the public, the fraternity and the Commission that those with the Communicator license not be shunted to a UHF purgatory where they cannot cause any problems. Without peer pressure, exactly the opposite will occur. If newcomers are left alone to make their own rules of communication, anarchy and chaos will result. We all have a 'living laboratory' example to underscore the wisdom and truth of this statement. God help us should the communicator Class license follow the trail blazed at 27 MHz.

"We also have a 'living laboratory' for the positive aspects of this thought. It was a courageous act when the Commission created 'Novice Enhancement'



and permitted voice operations by Novices in the 10 meter band. This could have been a prescription for disaster. The majority of Novices active on 10 meters are alumnus of the Citizens Band. Rather than destroying the band as some predicted, the outcome has been quite satisfactory. As a result of peer pressure and guidance from other Amateurs, the 10 meter Novice operators conduct themselves like ladies and gentlemen.

"The Commission proposes to create a 60 question test by combining Element 2 and 3A. This appears to be simply trading one filter for another. NARA believes that the Element 3A test by itself is more than sufficient to determine the capability of the prospective Amateur to operate communications equipment in a proper manner.

"The National Amateur Radio Association would prefer to see the existing license structure maintained as it is, with the addition of the Communicator Class. If this is not possible, then the Advanced Class category should be abandoned which would maintain the current number of licenses.

"We agree that all testing of the Novice Class should be brought into the VE program. Even without claimed abuses to the system, examination of all Novices by Volunteer Examiners is consistent and to be preferred. The cost to VE's for conducting the testing operation should be reimbursable.

"NARA does not propose that the Commission should 'open the gates' as Japan has done. Rather, we would like to propose a modification to the Communicator Class license. NARA proposes that the Communicator Class licensee also be allowed to operate on frequencies between 1.8 and 2.0 MHz using a maximum power input of 5.0 watts to crystal controlled equipment. The equipment should be designed for CW operation only.

NARA also offered the following alternative which avoids any negative impact upon the Commission's workload or resources. "The FCC's Communicator licensing strategy appears to replace the initial licenses issued to the present Novice and Technician with a code-free Communicator Class. No new Novice or Technician class licenses would be issued."

"The Commission may wish to consider abolishing the telegraphy requirement from the Technician Class and renaming that class, Communicator. The requirements for the Communicator Class would be Elements 2 and 3A, the current Novice and Technician multiple choice written tests. Presently licensed Technicians would be able to renew their license indefinitely, but no new Technician Class amateur licenses would be issued by the Commission.

"A Communicator licensee would upgrade to the General Class by passing Element 1B, the 13 wpm telegraphy examination and Element 3B, General Class theory. Communicator licensees desiring to participate in what is now Technician privileges would only have to pass Element 1A, 5 wpm.

"Communicator Plus (code) privileges would be vested by the Certificate of Successful Completion of Examination (CSCE) issued by the VE team. VEC's

should be required to maintain a data base of Communicator licensees who have passed Element 1A and routinely furnish this information to both the Callbook and upon request, to the Commission.

"A new applicant would still have the option of entering the service via the traditional Novice (Element 1A/2) route, or could elect the code-free (Element 2/3A) Communicator Class. It is anticipated that most applicants would elect the Communicator path."

[Submitted by Donald L. Stoner, W6TNS, President NARA, Redmond, Washington.]

## Amateur Radio Industry Group

The Amateur Radio Industry Group is an informal organization of various companies that provide products and services in support of the Amateur Radio Service. The products include transceivers, antennas, electronic components, computer peripherals and software, magazines, newsletters and training manuals.

"The term 'Amateur radio operator' may conjure up visions of tinkers, fashioning their rigs out of surplus military equipment. But this vision is now more lore than present practice. This is not to say that the construction and operation of a 'home-brewed' transceiver is not one of the most satisfying of all experiences in Amateur radio. It is; and a visit to most any ham radio flea market would confirm that this aspect of Amateur Radio has a steady following.

"It is beyond argument, however, that the Amateur Radio Service has become heavily dependent upon commercially manufactured products -- the type of products manufactured by members of the Industry Group. The articles in Amateur Radio magazines may describe weekend equipment construction projects, but the advertising copy is for state-of-the-art products that offer features and quality unsurpassed in even the commercial radio services.

"In short, the modern radio Amateur is a communicator, not a technician. Today's technical pursuits involve communicating via satellites, moonbounce, Amateur television or packet technology, not workbench construction projects. How fitting it is, then, that the Commission should now be proposing a Communicator Class license.

"It is fair to say that the fate of the Amateur Radio service, its licensees and its support industry are inextricably intertwined. Growth in the service benefits all; a greater number of operators means a larger market, which, in turn, stimulates innovation and the introduction of new products and services. This upward spiral benefits not only the licensees, but also the general public, which is frequently served by Amateurs in times of emergency. Flat or declining growth, on the other hand, means a limited market, which cannot justify expenditures for development and introduction of new products and services. Therefore, the stimulation of growth in the service is the single most important issue to the Industry Group.

"Other signs of weakness have also appeared in the Amateur Radio Service. The most notable of these has been the loss of 2 MHz of spectrum [220-222



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MHz] in General Docket 87-14. ...The Amateur Radio Service can expect to see more spectrum erosion unless something is done to reverse the trend.

"The Industry Group believes that Amateur Radio has evolved from a hobby of tinkers and telegraphers into a service of communicators. The Industry Group also believes that the license qualification requirements can and should be adjusted to account for this shift in emphasis. The Industry Group believes that the Morse code requirement at the entry level is a carryover from the origins of Amateur Radio which today may be preventing many interested and otherwise qualified persons from entering the Amateur Radio Service. The Industry Group is not alone; the present rule making proceeding was prompted by some fourteen petitions for a codeless class of license, including one from the American Radio Relay League, the traditional voice of the Amateur Radio Service licensees.

"The Communicator Class should include all bands above 50 MHz. The Commission's proposal to limit Communicators to frequencies above 222 MHz only serves to isolate the new Communicators from the mainstream of active Amateurs. It is too late to use this initiative simply as a means to attempt to populate relatively sparse spectrum and thereby hope to prevent further erosion of the Amateur bands. The time has come to truly broaden Amateur radio by welcoming into it as full-fledged citizens the new Communicator Class licensees.

"A sixty-question written examination is far too severe a requirement. Because the successful Communicator applicant will, for the most part, use commercially manufactured equipment, why require technical competence at the level of the current Amateur Technician Class license? Rather, the test should require applicants to demonstrate basic knowledge of radio principles, practical knowledge of station installation and operating procedures and knowledge of governing regulations, on the level of today's 30-question Novice Class test Element 2.

"The Industry Group would prefer to see preserved the HF entry path into Amateur Radio via the present Novice Class license. Nevertheless the industry Group recognizes the processing limitations of the FCC's Licensing Division. If the constraints of the FCC's application processing resources dictate that the Communicator Class must supplant the Novice and Technician Classes (with grandfathering of existing licensees), the industry is prepared to support that outcome by creating a system to document the successful completion of a 5 w.p.m. Morse code test by Communicators as an equivalent HF entry path."

[Submitted by: The Amateur Radio Industry Group by Raymond A. Kowalski, Its Counsel, Washington, DC.]

## Volunteer Examiner Coordinators

"These comments are submitted on behalf of a broad-based segment of the organized volunteer testing community [but] do not include the views of the American Radio Relay League. While ARRL is the largest single Volunteer-Examiner Coordinator (VEC), their activity accounts for less than half of the volunteer

examination testing program.

"Most applicants' first contact with organized Amateur Radio is with the volunteer testing community, that is VEs and VECs. ...The Volunteer testing community is also heavily involved in the training and preparation of aspiring Amateurs. Thus, the Volunteer testing community is keenly aware of the degree to which aspiring Amateurs accept requirements as necessary for any particular class of license. The result is a view that is sensitive to the perceived relevance of the license qualification requirements to the license privileges conveyed.

"Perceived relevance is important because participation in the Amateur Radio Service is purely voluntary. Therefore, the benefits to the individual to be derived from participation in the Service must outweigh the effort that must be expended to qualify for a license, if that individual is going to be motivated to undertake the training process. ...the mainstream of Amateur radio now believes that the Morse telegraphy requirement is operating as a significant and unwarranted barrier to entry into the Amateur Radio Service.

"There is ample evidence that the Morse telegraphy license qualification requirement is no longer essential to an entry-level Amateur license. In fact, this requirement, which once was perceived as a the protective wall around Amateur Radio, is now perceived as a tourniquet that is slowly choking off the life blood of Amateur Radio.

The volunteer testing community believes:

- (1.) The Communicator Class licensees should not be excluded from the 2m and 6m bands.
- (2.) The Novice Class, if it continues to exist, should be brought under the VEC system. The costs of this program should be reimbursable. "Perhaps applicants under the age of 18 could be exempt..."
- (3.) The operating privileges of the Communicator Class should include all amateur privileges above 30 MHz with full power.
- (4.) The examination requirements for the Communicator Class should be successful completion of two, 25-question tests: Element 2 (Novice theory) and Element 3A (Technician theory.)
- (5.) Upgrades from Communicator to Technician should be represented by a license and not a Certificate of Successful Completion of Examination (CSCE).
- (6.) Call signs for the Communicator Class should be issued from Group D (2-by-3.)

"The VECs realize that the position outlined above is not [FCC] resource-neutral. The VECs... would like to see the Novice and Technician class licenses continue to be issued, in this way preserving the HF entry path and creating a VHF/UHF entry path into Amateur Radio." The VECs suggested discontinuing the Advanced Class if it were necessary. "On balance, the VECs would reluctantly accept the discontinuation (with grandfathering) of the Novice and Technician class licenses, if that were the only practical way to implement the Communicator Class.

[Submitted by: F. Maia/W5YI-VEC, R. Adams/N4BAQ/WCARS-VEC and R.C. Smith/W6RZA/GLAARG-VEC]



## American Radio Relay League

"The League supports the creation of a Communicator Class of license, with privileges ...above 220 MHz. All amateur radio examination elements should be administered henceforth through the existing Volunteer Examiner program, as a means of enhancing the security of the examination system. Communicator licensees should be issued call signs from the Commission's Group "D" call sign block.

"Most urgent in connection with this proceeding is that no changes should be made in the Novice and Technician class licenses. The next upgrading step for both Novice and Communicator should be the present Technician class license, which offers Novices, and especially Communicator class licensees, sufficient incentive to upgrade their license class.

"The League firmly believes that closing a door to amateur radio that has been used by hundreds of thousands of individuals since it was first opened in 1951 is not in the public interest. The League envisions the Communicator Class license as an alternative to, but not a substitute for, the present Novice Class amateur license.

"The Novice examination should consist of present Elements 1A and 2; Communicator - Elements 2 and 3A; and Technician Elements 1A, 2 and 3A. Present examination Element 3A should be expanded from 25 questions to 30, with the emphasis in the additional material to be on proper operating practices.

"Amateur radio elements should only be administered through the existing system of three-member teams of accredited Volunteer Examiners. Accredited VEs holding General Class or above should be authorized to administer Elements 1A, 2 and 3A. Fees to reimburse the costs of the VEC program should apply equally to applications for all classes of amateur license.

"Communicator licensees should be permitted to be control operators of repeaters and auxiliary stations. ...[with] power levels not to exceed 200 watts.

"The 2-meter band is especially heavily loaded in essentially all of the United States. ...because of the popularity of the amateur 2 and 6 meter bands, the League believes that, to achieve an acceptable balance of privileges, these two bands should be available only to Technician class licensees and above to act as an incentive for a Communicator to upgrade..." The League also acknowledged that six classes of amateur licenses is "...perhaps an overly complex scheme that can be revisited in the future."

[Submitted by, Christopher D. Imlay/N3AKD, ARRL General Counsel, Washington, DC.]

## INTERVIEW WITH HERB SCHOENBOHM, KV4FZ

We covered the status of the on-the-air dispute that has erupted on twenty meters in our last issue. The controversy centers around what is, or is not acceptable use of amateur radio frequencies. The battle lines have been drawn. One faction believes amateur networks serve the public interest by making voluntary

non-commercial communications available ...especially to those in inaccessible locations and emergency situations. The opposing view is that many high-frequency transmissions are actually made to facilitate the regular business affairs of those involved ...or to avoid the high cost of other available commercial radio services.

One way training and information bulletins are also an issue. Some amateurs feel this privilege is being unnecessarily expanded and abused - especially on 20 meters where amateur spectrum is limited ...and range is worldwide. In our last issue we heard from **Glen Baxter, K1MAN**, of the *International Amateur Radio Network*. Let's now hear the views of **Herb Schoenbohm, KV4FZ**, who Baxter threatens to take to federal court if the FCC does not act against his alleged interference with I.A.R.N.'s emergency broadcasts

**W5YI:** You have been under a lot of criticism over the years as being a policeman of 20 meters and particularly the use of ham radio for what you consider to be prohibited transmissions.

**KV4FZ:** I don't think the word policeman is appropriate. I am just an activist as far as the FCC rules are concerned. They have some rules - along with many others - that are not being adhered to. After many years this has reached the point that advocacy of this idea that these rules are here for all of us to follow has to become a little bit more strident. We have to start 'sitting at lunch counters' and that is essentially what we are doing. We are taking the issues to the airwaves and discussing them and it is irritating a lot of people, including the FCC.

**W5YI:** Is the basic problem the use of amateur radio in place of other services?

**KV4FZ:** That's correct. Exactly what (Robert) McNamara (FCC Special Services Division Chief) said in his letter, what the FCC rules say ...and what the ARRL Rule book says. ...using amateur radio as an organized alternative to other radio services is prohibited. You have organizations that are setting up telephone companies on the ham bands and passing international traffic to foreign countries which basically is a means of avoiding the tolls. It is a toll avoidance operation. It is not an issue with AT&T. It is an issue with the international common carriers and the small phone companies in these countries that urgently need this revenue to survive. The hams in the United States are working out a system where their friends are able to avoid paying international tariffs by using the ham bands as an alternative.

**W5YI:** What groups are making illegal use of the ham bands?

**KV4FZ:** Specifically the *Intercontinental Net*, the



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*Maritime Mobile Service Net*, and *Halo Net* and the *Inter-American Net*. Those are four places where they have set up shop on a continual, perpetual basis where they use net frequencies to facilitate the assigning of phone patches to U.S. amateurs ...sometimes illegally, by the way, by giving them a 'one ringer' which is another practice they have been doing for many, many years. They use the telephone without any intention of paying for it by giving someone a 'one ringer' ...letting the phone ring once and hanging up. The person then shows up on the frequency ...and runs the patch.

**W5YI:** We have many groups that run phone patches to families of overseas personnel. What is your opinion of that practice?

**KV4FZ:** It depends on the circumstances. I am a MARS member, ACM3AC, and I enjoy doing this on behalf of servicemen overseas on the frequencies that are provided for that purpose. The *Military Affiliate Radio System* is set up to handle high volume phone patch and written traffic ...and are well disciplined. My objections are to the nets that are not disciplined. If you were calling on a MARS channel you would be able to legally take care of the problem of your rent ...or your student loan ...or discuss business arrangements and do it in complete compliance with the MARS regulations of humanitarian radio communications for military servicemen. When you move the same traffic inside the ham bands it goes beyond the letter of the law. We have the aspect of toll avoidance; we have amateurs being used on the ham bands as a substitute for the MARS service. There are circumstances where written traffic can be used for communications without being really an obvious violation of the rules. You certainly do not further international good will when an occupying military force is given the use of the amateur frequencies in that country when the licensee of that country can't get a toll free call to the United States.

**W5YI:** Is it true that many religious organizations use the ham bands to transact business under the guise of public service?

**KV4FZ:** Very much so. Many operate their whole organizations on the ham bands. There are a number of companies like the *Jungle Amateur Radio Service*, JARS, that uses amateur radio ...actually trains ham operators and sends them into their field missions. Jim Jones used amateur radio as his sole source of communications back and forth between the United States and Guyana. That is how I first got involved in this issue because I read what Jim Jones was doing. I said that can't be right. He had three stations on the air using the same call sign, WB6MID. One was located in California, one was in Jonestown, the third in Georgetown.

**W5YI:** You have been the object of a lot of controversy. Even your own congressman, Ron DeLugo,

has harsh words to say about you.

**KV4FZ:** We don't have a congressman here in the Virgin Islands. DeLugo is a non-voting delegate to Congress and he has been after me for years. He succeeded in getting me fired from one radio job, only to end up in another that was better because he objects to things that I cite over the radio. He is an opposing party; I am the vice chairman of the Republican party of the Virgin Islands. I oppose his welfare state philosophy ...and everything he stands for. I write a column and I am very, very tough on him. He in turn responds, not by vigorous debate of the issues, but by assigning people on his staff to see what they can do to have KV4FZ not only lose his amateur license but his commercial license as well which is his bread and butter.

**W5YI:** The FCC has gotten a lot of complaints about you from everywhere, including several foreign stations.

**KV4FZ:** The one from Germany is interesting because the person who complained is the director of a company that charges money to send one-way transmissions to ships at sea. On the air he uses another call. I ran into him about ten years ago operating in the Caribbean on a Panamanian ship using a German call asking for money for his organization. He sent me a complete dossier on how he was setting up an international maritime communications service on the frequency. I explained to him that his operation was illegal because he was operating aboard a Panamanian freighter where he was not licensed to operate. He has been after me ever since. They were running a money pyramid on the air. I have a listing of over fifty stations that are members of that net. He realizes that when KV4FZ is on the frequency that he can't run his operation ...and it is losing him money.

**W5YI:** What about Glenn Baxter's International Amateur Radio Network?

**KV4FZ:** I read what Baxter/K1MAN said in your last issue and I would like to tell you there was no emergency. It was never established that there was an emergency. This was three weeks after to so-called Iranian disaster. The day in question, Baxter was on 14.270 and had been there over an hour discussing his legal problems with his pro se attorney. Someone called him on the phone and told him that KV4FZ is on 'your' frequency. He immediately said, 'I have to leave, there is an emergency on 'my' frequency' so he went up, heard me and announced, 'Clear the frequency, this is an emergency.' I responded by saying what is the nature of your emergency, 'Did you declare an emergency with the FCC as required?' He just kept demanding that I clear the frequency. W4TAH, Eric "Swede" Hogsberg, also called Glen Baxter and asked him if he had contacted the FCC to declare an emergency. His response was that he declared the



emergency, not the FCC. I reminded him that only the FCC can declare any amateur frequency an emergency frequency. I later found out that the nature of the communications had to do with getting somebody to the Iranian embassy to obtain a reciprocal amateur license to operate from Iran because his jump team, three weeks after the earthquake, couldn't get into Iran, couldn't get a license and couldn't get on the air. He was using the word 'emergency' as a hoax to try to clear the frequency. Since that time, three key members of his organization have resigned.

[In our last issue we reported that Glen Baxter, K1MAN, told us Doug Case, WD4PZT, of Orlando, FL, intentionally interfered with on-going emergency communications during the Philippine earthquake. Doug called us and said that was not the case and that he intends to take suitable legal action against K1MAN.]

**W5YI:** What about the lengthy news broadcasts of I.A.R.N.

**KV4FZ:** I don't think it is legal for any station, W1AW included, to make a transmission on any amateur frequency unless they first determine that it would not cause harmful interference to existing communications. That is an FCC requirement for every government communications service. For some reason the FCC is afraid of going after the ARRL on this ...and they are reluctant to go after K1MAN's broadcasts. His organization is basically designed not to help in emergency communications, but to mollify the ego of K1MAN. He uses his broadcasts to support his organization ...he is constantly asking for donations, for postage, for equipment, for wills to be turned over to his organization. It really is the 'business' of Glenn Baxter that he is promoting by his on-the-air broadcasts. He is wrapped up in his desire to be a world broadcaster and uses his service as a bully pulpit to present his socialist world views on an amateur frequency. If Glenn Baxter is expressing his views, why can't each and every one of us be allowed to key down and express our views for 45 minutes. I don't think that is amateur radio. This will lead to the ruination of ham radio and I think the solution is for everybody to stop their broadcasting under the guise of informational bulletins and leave that to the bulletin boards and the packeteering.

**W5YI:** Who or what is BARF, the *Better Amateur Radio Federation*?

**KV4FZ:** They are a group of individuals who are linked together by a common desire to preserve the traditional values of amateur radio. [...a list of dozens of calls are read off]. By the way, WM9M was made an honorary member recently for sending Glen Baxter a notice of violation.

**W5YI:** What we have here then is a stand off.

**KV4FZ:** If you are going to be in the emergency communications business which I am for a living, you must be well trained, you must know what to do, you must know what action to take, who to call ...and how to do it. Amateurs are invariably not trained and probably, in most instances, do more harm than good. I hate to say that, but hams, as well intentioned as they are, do not go through even their own self training in many instances. These people are using emergencies and public service to cover up illegal activity like phone patches. Amateurs were worthless during Hurricane Hugo as far as handling large amounts of traffic. There is nothing wrong with amateurs operating during an emergency but they need to be trained and disciplined.

**W5YI:** Why do you take such an interest in 20 meter communications which you consider questionable?

**KV4FZ:** I do this to protect the privilege of the telephone interconnection which I think is an important freedom. That's why I have been trying to get these nuts to realize that they are abusing my freedom by their unwillingness to impose acceptable limitations on their own membership. I say the same thing the FCC says. You guys get together and come up with some hard fast rules on what is acceptable on the ham bands and what isn't. They refuse to do that. I went to Orlando to meet with them; I went to Dayton. KA0SEP rented a facility, hired security guards and ran a wonderful conference at Dayton. We even told him we would disband BARF as an organization. All you have to do is go by the rules. They refused that. Their argument is simply this. If we were doing something wrong, the FCC would have stopped us long ago.

The FCC has taken some action; it's evidenced by the controversy and the letters they have written ...and their request for input. BARF did indeed submit comments. All we are saying to the FCC is enforce the laws you have on the books ...or change them. If the law is valid, enforce it. If it is not valid, then let all of us set up a phone company or a short wave broadcast station on the ham bands. The mood and tone for the way ham radio is going to be in the future is being set. Do you want it to go that way, or do you want to protect some of the traditional values of amateur radio ...like just having a two-way QSO ...or a round table discussion on something that may interest you.

There are very, very few frequencies left on the 20 meter band that aren't gobbled up by these so-called networks using the frequency for their own private interests. I don't want to share my frequencies with people that are there in a criminal nature. I will share the frequency with anybody that is reasonable, but when someone wants to use a frequency that I happen to be on to run international commerce, I go to the Rule book and I say 'that is not permitted.' And they say, 'yes, it is.' That is where the dispute is.